

Chapter 22

WIRELESS TELECOMMUNICATION FACILITIES

10-22-1: PURPOSE:

- A. The purpose of this chapter is to address planning issues, particularly aesthetic concerns, brought on by the demand for wireless communication facilities.
- B. The regulations contained herein are intended to minimize the visual impact of wireless communication facilities while providing for service throughout the community. The regulations are further intended to encourage collocation of facilities and set forth clear and objective approval criteria.
- C. The requirements of this chapter apply to low power radio services, both analog and digital, such as "cellular" and "PCS" (personal communications system) communications and paging systems. All facilities shall comply with the following regulations and all other ordinances of the city and any pertinent regulations of the federal communications commission and the federal aviation administration. The regulations contained herein are pursuant to the telecommunications act of 1996. (1998 Document § 26-1)

10-22-2: DEFINITIONS:

The following definitions are specific to this chapter:

ANTENNA: A transmitting or receiving device used in telecommunications that radiates or captures radio signals.

LATTICE TOWER: A self-supporting multiple sided, open steel frame structure used to support telecommunications equipment.

MONOPOLE: A single cylindrical steel pole that acts as the support structure for antennas.

ROOF MOUNTED ANTENNA: An antenna or series of individual antennas mounted on a flat roof, mechanical room or penthouse of a building.

WALL MOUNTED ANTENNA: An antenna or series of individual antennas mounted against the vertical wall of a building.

WHIP ANTENNA: An antenna that is cylindrical in shape. Whip antennas can be directional

or omnidirectional and vary in size depending upon the frequency and range for which they are designed.

WIRELESS COMMUNICATION FACILITY: An unmanned structure which consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio wave or (wireless) transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached. (1998 Document § 26-7)

The section below has been affected by a recently passed ordinance, 2010-04-003 - DEVELOPMENT MASTER PLAN REQUIRED. [Go to new ordinance.](#)

10-22-3: DEVELOPMENT MASTER PLAN REQUIRED:

- A. Required: A site location development master plan shall be submitted by each company desiring placement of wireless telecommunication facilities. The development master plan shall be submitted and accepted by the planning commission prior to the processing of any permits for permitted or conditional use locations.
- B. Future Amendments: Future amendments of a significant nature to each company's development master plan shall be submitted and reviewed by the planning commission prior to approval of additional facility location. The development master plan shall show approximate locations of future facilities, and provide specific locations when possible, but are not required to detail the specific type (i.e., pole, roof, wall mount) of facility. The community development director shall determine whether changes in the development master plan are significant enough to require planning commission review. (1998 Document § 26-2)

The section below has been affected by a recently passed ordinance, 2010-06-001 – CELL TOWER. [Go to new ordinance.](#)

10-22-4: PERMITTED USES:

- A. Wireless communication facilities located on city property, subject to complying with standards contained herein, and obtaining a lease agreement with the city.
- B. Collocation of antennas on existing towers in industrial, commercial, agricultural, open space or mining and grazing zones; provided, that additional antennas are no more than twenty feet (20') higher than the existing tower, and not more than three (3) providers are locating on the tower.
- C. Collocation of antennas on existing nontower structures in industrial, commercial, agricultural, open space or mining and grazing zones, provided the additional antennas are no more than ten feet (10') higher than the existing structure, and the color of the antennas blend with the surroundings, and not more than three (3) providers are locating on the structure. Antennas within the downtown historic district shall be considered a conditional use.
- D. Towers not exceeding thirty five feet (35') tall in a mining and grazing or industrial zone.
- E. Wall mounted antennas which do not extend above the wall line of the building or extend more than four feet (4') horizontally from the wall.
- F. Installation Of Accessory Equipment Shelters: Any provider who is authorized to collocate on an existing tower or nontower structure, or install a new tower as provided above, shall be allowed to install any necessary accessory equipment shelters and related equipment at or near the base of the tower or structure, or within the structure, so long as the accessory equipment shelter and related equipment is either located completely within the existing structure or is located within the approved fenced area. The equipment shelter shall comply with the development standards (i.e., setbacks, height limitations, bulk, etc.) of the base zone. Additionally, no previously approved landscaping (trees or shrubs) shall be removed in order to locate the accessory building or equipment unless it is replaced with the equivalent quantity and type of landscaping on site. This shall be done in a manner as to achieve the original intent, or to achieve sufficient screening of any proposed new shelter and or equipment if the original intent would no longer be applicable. If any removed landscaping cannot be replaced on site, then the applicant shall be required to process the application through the conditional use permit process set forth in chapter 17 of this title. (1998 Document § 26-3)

10-22-5: CONDITIONAL USES:

All wireless communication facilities other than those described in section 10-22-4 of this chapter as permitted uses shall be considered conditional uses and subject to review and approval as set forth in chapter 17 of this title. (1998 Document § 26-4)

10-22-6: FACILITY TYPES:

Wireless communication facilities are characterized by the type or location of the antenna structure. The general types of such antenna structures and the standards for the installation of each type are as follows:

A. Wall Mounted Antennas: The following provisions apply to wall mounted antennas:

1. Wall mounted antennas shall not extend above the wall line of the building or extend more than four feet (4') horizontally from the face of the building.
2. Antennas, equipment and the supporting structures shall be painted to match the color of the building or structure of the background against which they are most commonly seen. Antennas and the supporting structures on buildings should be architecturally compatible with the building. Whip antennas are not allowed on a wall mounted antenna structure.
3. Antennas mounted directly on existing parapet walls, penthouses or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures, shall be considered a wall mounted antenna.

B. Roof Mounted Antennas:

1. Subject to a conditional use permit approval, roof mounted antennas may be allowed on top of existing penthouses or mechanical equipment rooms, provided the antennas and antenna support structures are enclosed by a structure that creates a visual screen. The screening structure, antennas and antenna mounting structures shall not extend more than eight feet (8') above the existing roofline of the penthouse or mechanical equipment room.
2. For antennas not mounted on a penthouse or mechanical equipment room, the antennas shall be mounted at least five feet (5') from the exterior wall of a building. For antennas mounted between five (5) and ten feet (10') from the exterior wall, the maximum height of a roof mounted antenna is directly proportional to the distance the antenna is set back from the exterior wall up to a maximum height of ten feet (10') above the roofline of the building to which the antenna is attached. Antennas shall be mounted at least five feet (5') behind any parapet wall. For antennas mounted behind a parapet wall, the maximum height of the antenna is directly proportional to the distance the antenna is set back from the wall up to a maximum height of ten feet (10') as measured from the top of the parapet wall.

3. Roof mounted antennas on a pitched roof shall be allowed, provided the antennas and antenna support structures do not extend higher than the peak of the roof measured by a horizontal line from the peak extending over the roof. (1998 Document § 26-5)
- C. Monopole With Antennas And Antenna Support Structures: The maximum visible width of antennas and antenna mounting structures on a monopole shall not exceed eight feet (8') in height or thirteen feet (13') in width as viewed looking directly at the monopole at the same elevation as the antennas and antenna mounting structure (see figure 3 attached to the ordinance codified herein and on file in the city office). No such antenna shall be located within one hundred fifty feet (150') of a residential zone unless approved by the planning commission. (1998 Document § 26-5; amd. 2003 Code)
- D. Lattice Tower: A lattice tower is not permitted within any residential or commercial zone unless the applicant can demonstrate to the city council's satisfaction that no other alternative is feasible. (1998 Document § 26-5)

10-22-7: ADDITIONAL STANDARDS:

- A. Height Limit: The height limit of any tower or pole is one hundred feet (100'). Each tower or pole shall require a conditional use permit, unless exempted in section 10-22-4 of this chapter.
- B. Collocation: It is the policy of the city to encourage collocation of facilities wherever feasible. The burden will be on the applicant to demonstrate why collocation is not feasible.
- C. Prohibited Areas: Monopoles or towers shall not be allowed within any required front yard setback nor within any required landscaped area, buffer area or parking area.
- D. Area Limitation For Wall And Roof Mounted Antennas: A combination of both roof and wall mounted antennas are allowed on a building. The total area for all wall and roof mounted antennas and supporting structures combined shall not exceed forty (40) square feet for each exterior wall of the building or a total of one hundred sixty (160) square feet per building. Up to three (3) carriers may utilize each building side as a permitted use subject to compliance with this chapter.

- E. **Accessory Buildings To Antenna Structures:** Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. Monopoles shall be fenced with a six foot (6') vinyl coated chainlink fence or other fencing as approved or required by the planning commission. The climbing pegs shall be removed from the lower twenty feet (20') of the monopole. All power lines on the lot leading to the accessory building and antenna structure shall be underground.
- F. **Historic Districts:** Any antenna proposed for a location within a historic district or on a landmark site is subject to approval through the historic preservation commission and planning commission.
- G. **Antennas And Mounting Structures On Or Over Public Right Of Way:** Antennas and mounting structures are not permitted to encroach on or over the public sidewalk or on or over a public right of way.
- H. **Nonmaintained Or Abandoned Facilities:** The community development director may require each nonmaintained or abandoned wireless communication tower or antenna to be removed from the building or premises when such an antenna has not been repaired or put into use by the owner, person having control, or person receiving benefit of such tower or antenna within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control, or person receiving the benefit of such structure. The city may require a cash or surety bond to guarantee removal of the tower and/or antenna. The bond amount shall be determined upon review by city staff.
- I. **Engineering Review:**
1. The city may, if it deems necessary, cause each site to be reviewed by a qualified electrical engineer. The costs shall be borne by the applicant. This review shall indicate whether or not the proposed facility will interfere with city, county or state communication facilities. In the event the new facility creates an electrical disturbance to these communication wavelengths, the applicant shall take the appropriate action to remove all interference generated by the new facility. Such remedial action may include changing the frequency that is broadcast or relocating the facility to a new location.
 2. The electrical engineer may also review the submitted information to determine if other sites are available to achieve an equivalent signal distribution and not significantly affect the operation of the wireless communication facility. Such a review shall be made when an applicant indicates that no other acceptable site exists.

J. Permits: Prior to the construction of any facility, the applicant shall obtain the proper building permits, encroachment permits and other permits as required by city codes.
(1998 Document § 26-6)

Disclaimer:

This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.

ORDINANCE NO. 2010-06-001**AN ORDINANCE AMENDING TITLE 10, CHAPTER 22, SECTION 4**

WHEREAS, if an antenna or tower meets the safety and structural requirements of applicable building codes then the previous restriction to no more than three (3) providers per antenna or tower will be removed with this new ordinance to be collocated in accordance with other applicable laws and ordinances; and

WHEREAS, this may ultimately reduce the number of new antenna or towers to be installed; and

WHEREAS, the City Council has determined that these changes to the ordinances are justified at this time and are in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer.

Any section of the St. George City Code which is not in compliance with this ordinance is hereby repealed.

Section 2. Enactment. Title 10, Chapter 22, Section 4 is enacted to read as follows:

10-22-4: PERMITTED USES:

A. Wireless communication facilities located on city property, subject to complying with standards contained herein, and obtaining a lease agreement with the city.

B. Collocation of antennas on existing towers in industrial, commercial, agricultural, open space or mining and grazing zones; provided, that additional antennas are no more than

twenty feet (20') higher than the existing tower.

C. Collocation of antennas on existing non tower structures in industrial, commercial, agricultural, open space or mining and grazing zones, provided the additional antennas are no more than ten feet (10') higher than the existing structure, and the color of the antennas blend with the surroundings, and not more than three (3) providers are locating on the structure. Antennas within the downtown historic district shall be considered a conditional use.

D. Towers not exceeding thirty five feet (35') tall in a mining and grazing or industrial zone.

E. Wall mounted antennas which do not extend above the wall line of the building or extend more than four feet (4') horizontally from the wall.

F. Installation Of Accessory Equipment Shelters: Any provider who is authorized to collocate on an existing tower or nontower structure, or install a new tower as provided above, shall be allowed to install any necessary accessory equipment shelters and related equipment at or near the base of the tower or structure, or within the structure, so long as the accessory equipment shelter and related equipment is either located completely within the existing structure or is located within the approved fenced area. The equipment shelter shall comply with the development standards (i.e., setbacks, height limitations, bulk, etc.) of the base zone. Additionally, no previously approved landscaping (trees or shrubs) shall be removed in order to locate the accessory building or equipment unless it is replaced with the equivalent quantity and type of landscaping on site. This shall be done in a manner as to achieve the original intent, or to achieve sufficient screening of any proposed new shelter and or equipment if the original intent would no longer be applicable. If any removed landscaping cannot be replaced on site, then the applicant shall be required to process the application through the conditional use permit process set forth in chapter 17 of this title.

Section 3. Severability.

If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect on the date signed below.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 3rd day of June, 2010.

_____/s/_____

Daniel D. McArthur, Mayor